

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.: 1:03 CR 14
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
DARSHAWN N. PRITCHETT,)	<u>ORDER ACCEPTING PLEA</u>
)	<u>AGREEMENT, JUDGMENT AND</u>
)	<u>REFERRAL TO U. S. PROBATION</u>
Defendant)	<u>OFFICE</u>

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Kenneth S. McHargh, regarding the change of plea hearing of , which was referred to the Magistrate Judge with the consent of the parties.

On January 14, 2003, the government filed a two count indictment, charging Defendant, Darshawn N. Pritchett, with Delay of Mail in violation of Title 18 United States Code, Section 1703(a); and Obstruction of Mail in violation of Title 18 United States Code, Section 1701. On January 16, 2008, Defendant Pritchett was arraigned and entered a plea of not guilty before Magistrate Judge Kenneth S. McHargh. On March 4, 2008, Magistrate Judge Kenneth S. McHargh received Defendant Pritchett's plea of guilty to count 2 of the indictment and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a

finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Pritchett is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Pritchett is adjudged guilty of Count 2 of the indictment, in violation of Title 18 United States Code, Section 1701. This matter is referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on June 3, 2008, at 10:00 a.m. in Courtroom 17-A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE